

# **APPLICATION FOR ZONING PUBLIC HEARING INSTRUCTIONS AND GENERAL INFORMATION**

## **FILING**

Applications for zoning public hearings must be filed in person with the Zoning Hearing Section of the Miami-Dade County Department of Planning & Zoning, located on the 11th floor of the Stephen P. Clark Center, 111 N.W. First Street. Applications may only be filed during the twice-monthly 3-day filing periods. The 1<sup>st</sup> filing period begins on the 1<sup>st</sup> Monday of the month, with the 2<sup>nd</sup> filing period beginning on the 3<sup>rd</sup> Monday. Filing periods run for 3 consecutive days ending on Wednesday. Information on what constitutes a complete application, as well as required forms, are available at the Zoning Hearings Section.

## **APPOINTMENTS**

Applicants may meet with Zoning Hearing Specialists prior to filing to ensure applications are complete and in order at the time of filing. Call (305) 375-2640 during normal working hours to schedule appointments to file applications or arrange for a pre-filing review. **Incomplete applications will be rejected.**

## **RECOMMENDATIONS AND ADVERTISEMENT**

Within a few weeks of receipt, applications received by the Department are evaluated and a preliminary recommendation prepared by the Zoning Evaluation Section is mailed to the applicant, who, in turn, has a time-specific window of opportunity to modify the requests or plans to address comments noted in the recommendation. After this time period expires, no further changes may be made prior to the hearing since an advertisement has been sent to the newspaper for publication. At 3 weeks prior to the hearing, the applicant will receive a letter confirming the date of the hearing. And approximately 2 weeks prior to the hearing, the Department's recommendation will be mailed to the contact person identified on the application. Applicants may contact the Zoning Evaluation Section at (305) 375-2566 regarding the recommendation.

## **REVISIONS AND ADDENDA**

Revised plans may be submitted at any time prior to the expiration of the revision period. Once a public hearing has been advertised, the file is considered 'closed' and no changes can be made. Please note that anyone wishing to submit expert testimony, economic studies, real estate appraisals, reports by consultants, etc., as evidence to be considered at the hearing, must file said documents with the director at least 10 days prior to the hearing.

## **HEARINGS**

The Community Zoning Appeals Board (CZAB) for the area in which the property is located will usually hear the application. It's decision is final unless appealed to the Board of County Commissioners within 14 days from date of posting or filed with the Circuit Court of the 11<sup>th</sup> Judicial Circuit by an aggrieved party or the applicant within 30 days of the transmittal of the resolution of the Board action to the Clerk of the Board of County Commissioners. The resolution is usually prepared within 15 days of the hearing date. The applicant or the applicant's attorney must be present at the hearing. Translators and sign language interpreters are available upon request. Call the Agenda Coordinator's Office at (305) 375-1244 at least 10 days in advance to arrange for this service at the meeting. Applicants may display large exhibits at the hearing, but must submit an identical 8½" x 11" duplicate for the file.

## **DIC/DRI**

When an application involves a large-scale development (e.g., exceeds a determined number of acres, dwelling units, building size, etc.) it is then considered a Development of County Impact and/or a Development of Regional Impact (DRI), requiring review by the Developmental Impact Committee (DIC) and/or the South Florida Regional Planning Council (SFRPC). Large-scale developments accrue additional fees. A determination whether an application may require such review may be obtained by calling the Developmental Impact Committee Office (305) 375-2566.

## **REVIEWS**

Applicants are advised to contact the Department of Environmental Resources Management (DERM), and the Department of Public Works for information on regulations, which may affect the subject property prior to filing for a public hearing.

DERM reviews all applications for consistency with the environmental protection requirements of Chapter 24 of the Miami-Dade Code. Applications will not be scheduled for public hearing until written approval by the Director of DERM is obtained. The review includes:

- Potable water supply wellfield – certain types of uses are highly restricted or not allowed in areas where public water supplies are located.
- Potable water supply - certain uses are not permitted if the site is not served by public water or if there are capacity issues for the proposed use.
- Liquid waste disposal – certain uses are restricted or not permitted if the site is not served by public sanitary sewers or if there are capacity issues for the proposed use.
- Stormwater management – some applications must include systems that address where and how stormwater runoff is handled. May include plans and calculations for retention areas.
- Flood protection – low-lying areas may have to meet additional requirements to deal with potential flooding concerns.
- Tree preservation and protection – certain trees are protected from removal or damage. Applications are reviewed for impact on existing trees.
- Wetland preservation and protection – proposed applications that impact wetland areas may not be allowed or may have additional restrictions on property use.
- Coastal preservation and protection – uses that impact mangroves, water quality, coastal wetlands, marine life and other coastal resources may be prohibited or restricted as to uses.
- Air quality – uses are evaluated to determine impacts on air quality, including number of parking spaces and materials used for parking surface.
- Solid Waste – sites previously used as disposal sites may have additional requirements for clean up or restrictions on uses. Site assessments may be required prior to DERM approval.
- Contaminated sites – properties on or near contaminated sites may require assessment of the site prior to DERM approval.
- Applications that cannot be approved administratively require variances to be considered at public hearings before the County's Environmental Quality Control Board (EQCB).

DERM would like to assist you prior to filing your application in order to identify as early as possible any environmental issues that may have repercussions on your zoning application and to ensure that your application includes all the materials required by the DERM review. Please schedule a review with DERM prior to filing a zoning hearing application. This will ensure an expeditious review. Contact Mr. Enrique A. Cuellar, DERM Chief of Code Coordination and Public Hearings, at (305) 372-6745.

PUBLIC WORKS reviews all applications for consistency with pertinent County Code requirements including Detail sheets and specifications in the Public Works Manual. Applications will not be scheduled for public hearing until the Public Works Department has completed its evaluation. This includes:

- Plans - must show right-of-way widths and dedications; including, to within 125' of the site, the condition of streets, driveways and sidewalks adjacent to the property. To provide for 2 lanes of pavement, a 35' dedication is required for sites abutting undeveloped property.
- Sidewalks - connecting from right-of-way to the project and continuing across driveways. Sidewalks/pedestrian walkways to have minimum width of 5' and 6' with thickened edge when adjacent to asphalt.

- Driveways – must meet off-street parking criteria (e.g., 20' min. 2-way driveway width; 14' min. 1-way driveway width; min. parking stall to be 8½' x 18' with wheel stop 2' from end; 22' min. back-out for 90° parking stall; 12' min. back-out for 45° parking stall; min. 5' back-out for aisle end parking stall) as provided in Section 33-122 of the Zoning Code.
- Gates – all gates are required to remain open during hours of operation at all business locations.
- Turns – 18' minimum turning radius for cars. 36' minimum inner radius and 58' minimum outer radius required by Fire Department. T-turnarounds are temporary and must comply with Standard Detail R11.3 and/or R11.4 of the Public works Manual.
- Visibility - landscaping, wall, fences, etc., are to comply with the safe sight distance triangle as per Sec. 33-11 (Zoning Code) and Standard Detail G5.3 of the Public Works Manual. Dumpster to be located away from parking stalls or where a visibility obstruction may occur.
- Throat length – 100' minimum uninterrupted entrance driveway required for shopping center.
- Lakes – lake sections and slopes to comply with Standard Detail R20.6 of the Public Works Manual. Maximum slope of 7:1 required for roadway shoulders adjacent to lakes. Guardrails may be required.
- Banks – must provide number of drive-thru lanes, if any. If applicable, must provide 125' of stacking per lane and a by-pass lane.
- Restaurants – must provide number of seats and square footage. And if applicable, 125' of stacking from order board and a by-pass lane.
- Gas Station – provide number of fueling positions (not pumps). If part of the development, provide number of car wash, and square footage of the convenience store.
- Day Care – In addition to providing the child care checklist, clearly identify on the plans the drop-off/pick-up area including stacking spaces and by-pass lanes.

All applicants should be aware that a public hearing cannot be scheduled until concurrency review has been cleared by the Public Works Department; and that complying with all required conditions does not guarantee approval of the application. For additional information on these and other related requirements contact the Public Works review section at (305) 375-2115.

## **QUESTIONS**

Applicants with questions related to filing an application, or the public hearing process, should call the Zoning Hearings Section at (305) 375-2640. For a more detailed explanation of the Zoning Hearing Procedures, call Voice Response Line at (305) 271-1242 and direct dial 1-4-1 (for English) or 2-4-1 (for Spanish), pausing between numbers.

## APPLICANT'S CHECKLIST

The following items must be submitted in duplicate:

- ☐ Letter of Intent, listing what is being requested, why, and reasons why applicant feels the request should be approved, detailing variances, zoning requests, explaining zoning hardship, etc. (Applicant will receive details during the pre-filing appointment with the Zoning Hearing Specialist).
- ☐ Application completely filled out and properly executed. (Folio numbers are mandatory).
- ☐ Ownership affidavit(s).
- ☐ Disclosure of Interest, if the owner, applicant or contract purchaser is a corporation, partnership, trustee.
- ☐ Copy of executed lease for one year or more, if applicant is a lessee.
- ☐ Owner's Sworn-to-Consent form signed by the owner-of-record of the property, giving lessee permission to file for the hearing if applicant is a lessee.
- ☐ Photographs of the property, including structures that may be the subject of the hearing.
- ☐ 6 standard sets of plans (see below) folded and 1 set measuring 8½" X 11" (7 TOTAL)

**Title Block:** Plans must contain a Title Block identifying the project, name, title and address of person who prepared the plan, date prepared, and scale used. **Zoning Legend:** All plans must contain a complete zoning data legend. Ask the Zoning Hearings Section for a copy of the standard legend for the type of development.

Plans should be reviewed with a Hearings Specialist, the Evaluation Sections, DERM and Public Works prior to filing, to eliminate need to revise plans once the application has been accepted. However, if you decide to revise your hearing plans, they must be submitted to the specialist and must contain 6 complete sets plus 1 complete set reduced to 8½" x 11". Additionally the plans must include the complete legend and a revised letter of intent incorporating and explaining any changes on the plans. Plans submitted after the advertisement for the hearing has been sent to the newspaper must be within the scope of the advertisement and accompanied by a fee. All revisions submitted more than 30 days before the hearing require a fee except for the 1<sup>st</sup> revision. Plans will not be reviewed unless accompanied by the required fees and the 8½" X 11" size set. See fee schedule for plan revision fees.

- ☐ Site Plans (must show entire property, all dimensions measured to centerline of the streets, size and uses of existing and proposed buildings, spacing, setback distances, typical parking spaces, driveways, etc. A complete zoning legend, showing data calculations for the site, must also be shown on the plan).
- ☐ Floor Plans (must identify all rooms and indicate dimensions of each).
- ☐ Building Elevations (drawing must show number of stories and height of top of roof).
- ☐ Landscape Plans (including Landscape Legend and Certificate acknowledging compliance with the Landscape Ordinance).
- ☐ Boundary Survey (required with every application, no older than 1 year. Must show all structures, rights-of-way, etc and any municipality boundary, if any).
- ☐ Liquor Survey.
- ☐ Special Purpose Survey: \_\_\_\_\_
- ☐ Engineer's certification and/or compliance letter for existing structures.
- ☐ Architectural approval letter required from the homeowners' or condominium association.
- ☐ Signage Plans: Show sign detail including sign dimensions, height and setback distance.

- ☐ Legal description [must be accurate; and if lengthy, to be submitted in Microsoft Word format on diskette or compact disc (CD), in addition to printed (hard) copy. Whether CD or diskette, ensure data is write-protected].
- ☐ Lake Excavation Plans (prepared & sealed by a Florida surveyor or engineer, showing perimeter dimensions, deep cut line, cross sections and slope descriptions).
- ☐ School Checklist (required for all day care centers and private schools)
- ☐ For specific K – 12 school requirements call Harvey Bernstein, Educational Facilities Coordinator, at (305) 375-1874.
- ☐ Covenant or Declaration of Restrictions may be required. Call Legal Counsel at (307) 375-3075.
- ☐ Zone change applications must be consistent with the Comprehensive Development Master Plan (CDMP). Call the Metropolitan Section of the Planning Division at (305) 375-2810 for information.
- ☐ Public Works reviews and comments on hearing applications. Prior to completion of development plans, call (305) 375-2115 for information on concurrency, and street dedication requirements
- ☐ Department of Environmental Resources Management (DERM) at 33 SW 2<sup>nd</sup> Ave., 5<sup>th</sup> Fl., reviews and comments on hearing applications. Call (305) 372-6502 or 6503 for information on water quality, pollution control, soil removal, tree preservation and other environmental regulations.
- ☐ Certain types of business uses require Environmental Quality Control Board (EQCB) approval before a public hearing can be scheduled. Contact DERM for additional information.
- ☐ General information on zoning requirements, prior zoning hearing, history, Declaration of Restrictions, Unities of Title and related zoning criteria is available on the 12<sup>th</sup> Fl of Stephen P. Clark Center. Call (305) 375-1806 or 1807.
- ☐ The Planning Division reviews and comments on hearing applications. Call (305) 375-2810 for information on application recommendations, urban design standards, landscape requirements, and other planning disciplines.
- ☐ Hearing fees and additional radius fees – the fees paid at time of filing may not be the total cost of the hearing. Additional radius fees for mailing notices to property owners within a certain radius of the subject property may be assessed, depending on the type of hearing request. The number of actual property owners is determined by computer and you will received a bill for the additional radius fees approximately one month after filing. Fee schedule and instructions are attached. Hearing fees will be calculated by the Zoning Hearing Specialist at the pre-filing appointment.
- ☐ For a determination whether an application may be require DIC review call the Developmental Impact Committee Office at (305) 375-2566.
- ☐ For a more detailed explanation of the Zoning Hearing Procedures, call Voice Response Line at (305) 271-1242 & direct dial 1-4-1 (for English) or 2-4-1 (for Spanish), pausing between numbers.
- ☐ Translators and sign language interpreters are available upon request. Call Agenda Coordinator's Office at (305) 375-1244 at least 10 days in advance to arrange for this service at the meeting

Some requests require additional information. Contact the Zoning Hearings Section for a pre-filing appointment for information on required exhibits and review of documents and plans.

## REQUEST FOR LEGAL DESCRIPTION CHECK (Part A)

Appl. No.: **Z** \_\_\_\_\_

Sec: \_\_\_\_\_ Twp: \_\_\_\_\_ Rge: \_\_\_\_\_

Processor: \_\_\_\_\_

CZAB #: \_\_\_\_\_ BCC \_\_\_\_\_

<b>TYPE OR PRINT ALL INFORMATION – ALL FOLIO NUMBERS REQUIRED</b>
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**1. FOLIO NUMBER(S) OF SUBJECT PROPERTY** (List all folio numbers comprising the subject property)

_____	_____	_____
_____	_____	_____

**2. NAME OF APPLICANT** (Property Owner or Lessee with Owner's Sworn-to-Consent)

\_\_\_\_\_

**3. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If application contains requests for multiple zone changes, provide the legal description for each area. Attach separate sheet(s), as needed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

\_\_\_\_\_  
\_\_\_\_\_

**5. SIZE OF PROPERTY** \_\_\_\_\_ ' x \_\_\_\_\_ ' (in acres): \_\_\_\_\_

(divide total sq. ft. by 43,560 to obtain acreage)

**6. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S)**, provide complete legal description of said contiguous property. (If attaching separate sheet, clearly label as contiguous property)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sec.	Twp.	Range

**ZONING HEARING APPLICATION  
MIAMI-DADE COUNTY  
DEPARTMENT OF PLANNING & ZONING**

LIST ALL FOLIO #S: \_\_\_\_\_

Date Received \_\_\_\_\_

- 1. NAME OF APPLICANT** (Provide complete name of applicant, exactly as recorded on deed, if applicable. If applicant is a lessee, an executed 'Owner's Sworn-to-Consent' and copy of a valid lease for 1 year or more is required. If the applicant is a corporation, trust, partnership, or like entity, a 'Disclosure of Interest' is required).

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**2. APPLICANT'S MAILING ADDRESS, TELEPHONE NUMBER:**

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone#: \_\_\_\_\_

**3. OWNER'S NAME, MAILING ADDRESS, TELEPHONE NUMBER:**

Owner's Name (Provide name of ALL owners): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone#: \_\_\_\_\_

**4. CONTACT PERSON'S INFORMATION:**

Name: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ E-mail: \_\_\_\_\_

**5. LEGAL DESCRIPTION OF ALL PROPERTY COVERED BY THE APPLICATION**

(Provide complete legal description, i.e., lot, block, subdivision name, plat book & page number, or metes and bounds. Include section, township, range. If the application contains multiple rezoning requests, then a legal description for each sub-area must be provided. Attach separate sheets, as needed).

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**6. ADDRESS OR LOCATION OF PROPERTY** (For location, use description such as NE corner of, etc.)

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**7. SIZE OF PROPERTY** (in acres): \_\_\_\_\_ (divide total sq. ft. by 43,560 to obtain acreage)

**8. DATE** property ☐ acquired ☐ leased: \_\_\_\_\_ **9. Lease term:** \_\_\_\_\_ years  
(month & year)

**10. IF CONTIGUOUS PROPERTY IS OWNED BY THE SUBJECT PROPERTY OWNER(S)**, provide complete legal description of said contiguous property.

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**11. Is there an option** to purchase ☐ or lease ☐ the subject property or property contiguous thereto?  
☐ no ☐ yes (If yes, identify potential purchaser or lessee and complete 'Disclosure of Interest' form)

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**12. PRESENT ZONING CLASSIFICATION:** \_\_\_\_\_

**13. APPLICATION REQUESTS** (Check all that apply and describe nature of the request in space provided)  
(DBC requires special exception to permit site plan approval unless rezoning 3 acres or less to residential categories)

- ☐ District Boundary Changes (DBC) [Zone class requested]: \_\_\_\_\_
- ☐ Unusual Use: \_\_\_\_\_
- ☐ Use Variance: \_\_\_\_\_
- ☐ Alternative Site Development: \_\_\_\_\_
- ☐ Special Exception: \_\_\_\_\_
- ☐ Modification of previous resolution/plan: \_\_\_\_\_
- ☐ Modification of Declaration or Covenant: \_\_\_\_\_

**14. Has a public hearing been held on this property within the last year & a half?** ☐ no ☐ yes.  
If yes, provide applicant's name, and date, purpose and results of hearing, and resolution number:

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**15. Is this hearing as a result of a violation notice?** ☐ no ☐ yes. If yes, give name to whom the violation notice was served: \_\_\_\_\_ and describe the violation:

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**16. Describe structures on the property:** \_\_\_\_\_

**17. Is there any existing use on the property?** ☐ no ☐ yes. If yes, what use and when established?

Use: \_\_\_\_\_ Year: \_\_\_\_\_



## APPLICANT'S AFFIDAVIT

The Undersigned, first being duly sworn depose that all answers to the questions in this application, and all supplementary documents made a part of the application are honest and true to the best of (my)(our) knowledge and belief. (I)(We) understand this application must be complete and accurate before the application can be submitted and the hearing advertised.

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## OWNER OR TENANT AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) the ☐ owner ☐ tenant of the property described and which is the subject matter of the proposed hearing.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

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## CORPORATION AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) the ☐ President ☐ Vice-President ☐ Secretary ☐ Asst. Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; and that said corporation is the ☐ owner ☐ tenant of the property described herein and which is the subject matter of the proposed hearing.

Attest: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Office Held

(Corp. Seal)

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

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## PARTNERSHIP AFFIDAVIT

(I)(WE), \_\_\_\_\_, being first duly sworn, depose and say that (I am)(we are) partners of the hereinafter named partnership, and as such, have been authorized to file this application for a public hearing; and that said partnership is the ☐ owner ☐ tenant of the property described herein which is the subject matter of the proposed hearing.

By \_\_\_\_\_ %  
By \_\_\_\_\_ %

\_\_\_\_\_  
(Name of Partnership)  
By \_\_\_\_\_ %  
By \_\_\_\_\_ %

Sworn to and subscribed to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Notary Public: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

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## ATTORNEY AFFIDAVIT

I, \_\_\_\_\_, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner of the property described and which is the subject matter of the proposed hearing.

Sworn to and subscribed to before me

\_\_\_\_\_  
Signature  
Notary Public: \_\_\_\_\_

this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Commission Expires: \_\_\_\_\_

## RESPONSIBILITIES OF THE APPLICANT

### I AM AWARE THAT:

1. The Public Works Department, the Department of Environmental Resources Management (DERM), and other County agencies review and critique zoning applications which may affect the scheduling and outcome of applications. These reviews may require additional public hearings before DERM's Environmental Quality Control Board (EQCB), or other County boards, and/or the proffering of agreements to be recorded. I am also aware that I must comply promptly with any DERM or Public Works conditions and advise this office in writing if my application will be withdrawn.
2. Filing fees may not be the total cost of a hearing. Some requests require notices to be mailed to property owners up to a mile from the subject property. In addition to mailing costs, fees related to application changes, plan revisions, deferrals, re-advertising, etc., may be incurred. Applications withdrawn within 60 days of the filing are eligible for a refund of 50% of the hearing fee but after that time hearings withdrawn or returned will be ineligible for a refund. I understand that fees must be paid promptly.
3. The South Florida Building Code requirements may affect my ability to obtain a building permit even if my zoning application is approved; and that a building permit will probably be required. I am responsible for obtaining permits and inspections for all structures and additions proposed, or built without permits. And that a Certificate of Use and Occupancy must be obtained for the use of the property after it has been approved at Zoning Hearing, and that failure to obtain the required permits and/or Certificates of Completion or of Use and Occupancy will result in enforcement action against any occupant and owner. Submittal of the Zoning Hearing application may not forestall enforcement action against the property.
4. The 3<sup>rd</sup> District Court of Appeal has ruled that zoning applications inconsistent with the Comprehensive Development Master Plan (CDMP) cannot be approved by a zoning board based upon considerations of fundamental fairness. Therefore, I acknowledge that if the hearing request is inconsistent with the CDMP and I decide to go forward then my hearing request can only be denied or deferred, but not approved.
5. In Miami-Dade County v. Omnipoint Holdings, Inc., Case No. 3D01-2347 (Fla. 3<sup>rd</sup> DCA 2002), the 3<sup>rd</sup> District Court of Appeal has held invalid the standards for non-use variances, special exceptions, unusual uses, new uses requiring a public hearing and modification of covenants. This is not a final decision and the County Attorney's Office is seeking further review. In the interim, the County Attorney's Office is working with the Planning and Zoning Department's professional staff to develop new standards that will address the Court's concerns. While the new standards are being developed, applicants are advised that any non-use variance, special exception, unusual use, new use requiring a public hearing or request for modification of covenants granted under the existing standards are subject to being reversed in the courts. An applicant wishing to avoid the substantial legal risks associated with going forward under the existing standard may seek a deferral until the new standards are developed..
6. Any covenant to be proffered must be submitted to the Department's Legal Counsel, on County form, at least 1 month prior to the hearing date. The covenant will be reviewed and the applicant will be notified if changes or corrections are necessary. Once the covenant is acceptable, the applicant is responsible to submit the executed covenant with a current 'Opinion of Title' within 1 week of the hearing. And that Legal Counsel can advise as to additional requirements applicable to foreign corporations. Documents submitted to Legal Counsel must carry a cover letter indicating subject matter, application number and hearing date. Legal Counsel may be reached at (305) 375-3075

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(Applicant's Signature)

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(Print Name)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

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(Notary Public)  
My commission expires \_\_\_\_\_

### **DISCLOSURE OF INTEREST\***

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: \_\_\_\_\_

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: \_\_\_\_\_

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: \_\_\_\_\_  
(Applicant)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
(Notary Public)

My commission expires \_\_\_\_\_

\*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

## PHOTOGRAPHS

**FRONT ELEVATION**

**SIDE ELEVATION**

**REAR ELEVATION**